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Attorneys for Official Committee of Unsecured Creditors

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA Commercial Mortgage Company
06-10725 – Lead Case**

**USA Capital Realty Advisors, LLC
06-10726**

**USA Capital Diversified Trust Deed Fund,
LLC
06-10728**

**USA Capital First Trust Deed Fund, LLC
06-10728**

**USA Securities, LLC
06-10729**

Debtors.

Jointly Administered

Chapter 11 Cases

Judge Linda B. Riegler Presiding

Date: January 31, 2007 requested
Time: 9:30 a.m. requested

Affecting:

.. All Cases

or Only:

- × USA Commercial Mortgage Company
- .. USA Capital Realty Advisors, LLC
- .. USA Capital Diversified Trust Deed Fund, LLC
- .. USA Capital First Trust Deed Fund, LLC
- .. USA Securities, LLC

**DECLARATION IN SUPPORT OF EX PARTE APPLICATION FOR
ORDER SHORTENING TIME TO HEAR APPLICATION
PURSUANT TO FED. R. BANKR. P. 2014(a) FOR ORDER UNDER
SECTION 1103 OF THE BANKRUPTCY CODE AUTHORIZING
THE EMPLOYMENT AND RETENTION OF DIAMOND
McCARTHY TAYLOR FINLEY & LEE, LLP AS SPECIAL
LITIGATION COUNSEL TO THE OFFICIAL UNSECURED
CREDITORS' COMMITTEE FOR USA COMMERCIAL
MORTGAGE COMPANY**



1 Rob Charles, Esq., of Lewis and Roca LLP, attorneys for Official Unsecured
2 Creditors' Committee for USA Commercial Mortgage Company (the "Committee")
3 declares under penalty of perjury:

4 1. An application by the Committee to Employ Diamond McCarthy Taylor
5 Finley & Lee, LLP ("Diamond") as special litigation counsel for the Creditors' Committee
6 was filed on January 18, 2007.

7 2. An Ex Parte Application for Order Shortening Time to Hear Application by
8 the Committee to Employ Diamond [DE 2486] was filed on January 18, 2007.

9 3. Notice can be shortened pursuant to Bankruptcy Rule 9006(c)(I) and LR
10 9006(a).

11 4. A hearing is scheduled on this matter on January 31, 2007, at 9:30 a.m. to
12 hear other motions and holding a hearing on the application at the same time would serve
13 the interest of judicial economy.

14 5. No known party opposes hearing the motion on shortened time.

15 DATED January 18, 2007.

16 **LEWIS AND ROCA LLP**

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18 By: /s/ RC (#0006593)

19 Susan M. Freeman

Rob Charles

20 *Attorneys for the Official Unsecured Creditors'*
21 *Committee for USA Commercial Mortgage*
22 *Company*
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